

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 12, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ELIJIO MENDOZA,

Plaintiff,

v.

STATE OF WASHINGTON;

MICHELLE JOHNSON, CCO; JOSE

“FREDDIE” ACEVEDO-GONZALEZ,

CCO; JASON PEPPER, YAKIMA

COUNTY SHERIFF DEPUTY; BRENT

MARTIN, CCO; CHRISTOPHER

SMITH, US MARSHAL; DETECTIVE

KEVIN CAYS, YPD; DETECTIVE

DREW SHAW, YPD; and DETECTIVE

RYAN PEPPERS, YPD,

Defendants.

No. 1:22-CV-03004-SAB

**ORDER DISMISSING ACTION
WITHOUT PREJUDICE**

On May 10, 2022, the Court issued an Order Granting Defendants’ Motion to Dismiss. ECF No. 17. In the order, the Court dismissed Plaintiff’s Complaint, ECF No. 2-2, and granted him leave to file a First Amended Complaint. However, the Court stated “[o]n or before **July 11, 2022**, Plaintiff shall file a First Amended Complaint. **If Plaintiff fails to comply with this order, the action will be dismissed.**” ECF No. 17 at 7.

ORDER DISMISSING ACTION WITHOUT PREJUDICE # 1

1 Plaintiff has still not submitted a First Amended Complaint. Thus, the Court
2 dismisses this action without prejudice.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 1. The above-captioned case is **DISMISSED without prejudice** for
5 failure to submit a First Amended Complaint.

6 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to file
7 this Order, provide copies to *pro se* Plaintiff and counsel, and **close** the file.

8 **DATED** this 12th day of July 2022.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

Stanley A. Bastian
Chief United States District Judge